

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	Criminal No. 4:20-mj-1366
	§	
LEE PRICE III	§	

AGREED MOTION TO EXTEND TIME TO INDICT

The United States and the defendant, Lee Price III, through his attorney, request an extension of the time upon which an indictment must be filed in this case.

Mr. Price was charged via Criminal Complaint on August 3, 2020. The complaint alleged violations of Wire Fraud (18 U.S.C. § 1343), Bank Fraud (18 U.S.C. §1344), False Statements to a financial institution (18 U.S.C. § 1014), and Unlawful Monetary Transactions (18 U.S.C. § 1957).

On August 4, 2020, Mr. Price was arrested and appeared before United States Magistrate Sam S. Sheldon for an initial appearance. He was detained pending a detention hearing, set for later this month.

Under the Speedy Trial Act, 18 U.S.C. § 3161(b), an indictment must be returned for the instant charges “within thirty days from the date on which [the Defendant] was arrested or served with a summons in connection with such

charges.” The relevant 30th day will fall on or about September 3, 2020, not taking into account all excludable time, pursuant to § 3161(h)(1)(G) and (H), and Federal Rule of Criminal Procedure 45(a).

The parties request that this Court continue presentation of Mr. Price’s case to the Grand Jury for an additional 60 days. Because of the current COVID-19 pandemic, the parties believe that the prudent course of action is to proceed by complaint instead of requiring a large group of grand jurors to hear the government’s grand jury presentation in person. Furthermore, both parties believe there may be a possibility of an agreement being reached which would negate the necessity for an indictment, thereby preserving the time of the Grand Jury and the government.

Granting this continuance would be in the interest of judicial economy, justice, and Mr. Price. The parties further believe that a continuance would serve the ends of justice and would outweigh the interest of the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

This request is not made in an effort to unduly delay the proceedings, but rather to ensure that justice and other judicial considerations are achieved. *See* 18 U.S.C. §§ 3161(h)(7)(B)(iii) and (iv).

For the foregoing reasons, the parties request that this Court continue the time upon which an indictment must be filed for an additional 60 days, until on or about November 2, 2020.

Respectfully submitted,

ROBERT ZINK
Acting Chief
Fraud Section, Criminal Division

/s/ Timothy A. Duree

TIMOTHY A. DUREE

Trial Attorney

CERTIFICATE OF CONFERENCE

Counsel conferred with counsel for defendant, Kent Schaffer on August 5, 2020, and he agrees to the motion.

/s/_____

Timothy A. Duree, Trial Attorney

/s/_____

Kent Schaffer, Attorney for Lee Price III